

# Interview Summary

Application No.

09/527,352

Applicant(s)

LeCruse et al.

Examiner

Vera Afremova

Art Unit

1651



All participants (applicant, applicant's representative, PTO personnel):

(1) Vera Afremova(3) Kim Brown(2) Jon Weber(4) Xingyong LiuDate of Interview May 17, 2002(5) Ardis A. TaylorType: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal (copy is given to 1) ☐ applicant 2) ☐ applicant's representativeExhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: all

Identification of prior art discussed:

allAgreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Several issues have been discussed :

1. The difference between BE (biliary index) and BC (biliary clearance) appears to be based on calculations rather than on measuring different parameters or using different methods for detecting/measuring metabolism. (with regard to claims 39-66).

2. The concept of "normalizing" to a generic "reference" is a new matter because only one "reference" such as "protein content" is disclosed (page 30, line 29). The prior art {ref. EE} teaches normalization to "total substrata" (with regard to claim 1, in particular, also 13, 39-66).

(see attached →)

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Attachment to interview summary

09/527, 352  
interview date 5/17/2002

Several issues have been discussed :

1. The difference between BE (biliary index) and BC (biliary clearance) appears to be based on calculations rather than on measuring different parameters or using different methods for detecting/measuring metabolism. {with regard to claims 39-66}.

2. The concept of "normalizing" to a generic "reference" is a new matter because only one "reference" such as "protein content" is disclosed (page 30, line 29). The prior art {ref. EE] teaches an idea of normalization to a "total substrate" (with regard to claim 1, in particular, also 13, 39-66}.

3. The claimed method (25-38) does not indicate the link between "candidate" compound and "marker" compound. The criticality between "simultaneously" and sequentially, for example, is uncertain. The teaching of ref. EE should/might be reevaluated with regard to "extra cellular" markers as disclosed. The teaching of ref. EE should/might be reevaluated with regard to the uptake of two compounds such as, for example: "taurocholate" and "enkephalin" or the other two, for example: "morphine and salicylate. Are they "candidate" and "markers"?